

REMARKS

Claims 1-2, 5-22, 25-32, and 35-59 were pending. By virtue of this response, claims 1, 21, 31, and 49-50 are amended, and claims 2, 22, and 32 are cancelled. Therefore, claims 1, 5-21, 25-31, and 35-59 are presently pending. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter is added.

Claim Rejections Under 35 USC §102

Claims 1-2, 5-8, 11-15, 19-22, 25-28, 31-32, 35-38, 41-45 and 49-59 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No.: 6,704,727 issued to Alexander N. Kravets (hereinafter "Kravets").

In response, claim 1 has been amended to recite, among other things "storing sales information related to a plurality of search terms, wherein the sales information includes an accumulation of a plurality of purchase transactions of a plurality of users... dynamically generating a plurality of candidate search terms related to said first search term in accordance with relevancy scores calculated based in part on the sales information and click information related to the first search term, wherein said plurality of candidate search terms.... are at least organized in accordance with brands, wherein the brands related to the first search term are determined based upon the sales information." (Emphasis added). In this way, all users performing a search can effectively narrow their search based on choices of the community of users. Furthermore, relevancy is increased by performing a search by including "sales information" accumulated from a plurality of users selecting a product and purchasing it. For support, for example, see Figs. 5A and 5B, and paragraph [0006].

In contrast, Kravets discloses determining a "value score" to provide search results specifically relevant to the user performing the search. The "value score" may be based on, for example, a user's "demographic profile" and "psychographic profile," and a "clickthrough rate representing a frequency" as "a measure of how often a user receives relevant information as the

result of the search” (Col. 5, lines 21-34). The “frequency” is determined by dividing the total number of search results for a search term that are selected by a user by the total number of searches for a search term that are requested by all the users.” (Emphasis added). (Col. 5, lines 29-32).

Therefore, the search of Kravets would yield search results based on relevancy specific for the user performing the search.

Therefore, Kravets fails to at least disclose or suggest “relevancy scores calculated” based on “sales information” wherein the “sales information includes an accumulation of a plurality of purchase transactions of a plurality of users.” as recited in claim 1. (Emphasis added).

Furthermore, Kravets fails to disclose or suggest at least the “plurality of candidate search terms... are at least organized in accordance with brands, wherein the brands related to the first search term are determined based upon the sales information.” (Emphasis added).

Thus, Applicants respectfully submit claim 1 is allowable over Kravets. For at least the foregoing reasons given for claim 1, independent claims 21 and 31 are allowable over Kravets.

Claims 5-8, 11-15, 19-20, 25-28, 35-38, 41-45, and 49-59 are allowable for at least the reason each depends on an allowable independent claim. Accordingly, Applicants respectfully request reconsideration and allowance of claims 1, 5-8, 11-15, 19-21, 25-28, 31, 35-38, 41-45 and 49-59.

In order to anticipate a claim, a reference must teach every element of the claim (MPEP 2131). In sum, Kravets does not disclose or suggest providing candidate search terms, as required by the claims. Accordingly, Applicants respectfully request that the Examiner identify and provide a prior art reference disclosing the remaining elements of claims 1, 5-8, 11-15, 19-21, 25-28, 31, 35-38, 41-45 and 49-59 missing from Kravets.

Claim Rejections Under 35 USC §103

Claims 9-10, 29-30 and 39-40 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kravets in view of U.S. Pub No.: 2003/0078915 issued to Surajit Chaudhuri et al. (hereinafter "Chaudhuri").

For at least the foregoing reasons, claims 9-10, 29-30, and 39-40, each of which is dependent from either base claim 1, 21, or 31, are allowable over Kravets in view of Chaudhuri. Accordingly, Applicants request reconsideration and allowance of claims 9-19, 29-30, and 39-40.

Claims 16-18 and 46-48 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kravets in view of U.S. Patent No.: 6,701,314 issued to Joan Evelyn Conover et al. (hereinafter "Conover").

For at least the foregoing reasons, claims 16-18 and 46-48, each of which is dependent from either base claim 1, 21, or 31, are allowable over Kravets in view of Conover. Accordingly, Applicants request reconsideration and allowance of claims 16-18, and 46-48.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.: 03-1952** referencing **Docket No.: 324212003700**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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